

PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA

CLERK'S OFFICE

NOTICE OF FILING

DOCKET NOS. 2013-252-C, 2000-265-C, 1999-323-C, and 2003-369-C

Docket Summary: Joint Application of Birch Communications, Inc.; Birch Telecom of the South, Inc. d/b/a Birch Communications and Lightyear Network Solutions, LLC for Approval to Transfer Assets and Other Above-Referenced Dockets

Birch Communications, Inc. ("Birch Communications"); Birch Telecom of the South, Inc. d/b/a Birch Communications ("Birch Telecom") (jointly, the "Company"); and Lightyear Network Solutions, LLC ("Lightyear") (Birch Communications, Birch Telecom, and Lightyear collectively, the "Joint Applicants") have filed a Verified Joint Application requesting that the Public Service Commission of South Carolina ("Commission") authorize the transfer of Lightyear's telecommunications assets and South Carolina customer base to the Company. The Verified Joint Application ("Application") was filed pursuant to S.C. Code Ann. §§ 58-9-280, 58-9-300 and 58-9-310. According to the Application, on May 10, 2013, Birch Communications and Lightyear entered into an Asset Purchase Agreement wherein Birch will purchase the following assets from Lightyear: certain customer accounts and receivables, certain customer agreements and contracts, certain vendor agreements and contracts, certain equipment, and certain intellectual property. Additionally, Birch Telecom will file any necessary tariff revisions to incorporate Lightyear's current services and rates so that affected customers will continue to receive the same services that they currently receive without any immediate changes to their service offerings or rates.

A copy of the Company's application can be found on the Commission's website at www.psc.sc.gov under Docket Nos. 2013-252-C, 2000-265-C, 1999-323-C, and 2003-369-C. Additionally, a copy of the application is available from the Company's representative Bonnie D. Shealy, Esquire, Robinson, McFadden & Moore, P.C., Post Office Box 944, Columbia, SC 29202.

A public hearing, if scheduled, will be held in the Commission's offices for the purpose of receiving testimony and other evidence from all interested parties regarding this application. The date and time of the hearing will be announced at a later date.

Any person who wishes to participate in this matter as a party of record with the right of cross-examination, should file a Petition to Intervene in accordance with the Commission's Rules of Practice and Procedure on or before **Friday, August 02, 2013**, and indicate the amount of time required to address the Commission. For the receipt of future Commission correspondence, please include an email address in the Petition to Intervene. *Please refer to Docket Nos. 2013-252-C, 2000-265-C, 1999-323-C, and 2003-369-C.*

Any person who wishes to testify and present evidence at the hearing should notify, in writing, the Commission; the Office of Regulatory Staff at 1401 Main Street, Suite 900, Columbia, South Carolina 29201; and the Company's representative at the above address, on or before **Friday, August 02, 2013**, and indicate the amount of time required to address the Commission. *Please refer to Docket Nos. 2013-252-C, 2000-265-C, 1999-323-C, and 2003-369-C.*

Any person who wishes to be notified of any change in the hearing, but does not wish to present testimony or be a party of record, may do so by notifying the Commission, in writing, at the address below on or before **Friday, August 02, 2013**. *Please refer to Docket Nos. 2013-252-C, 2000-265-C, 1999-323-C, and 2003-369-C.*

PLEASE TAKE NOTICE that any person who wishes to have his or her comments considered as part of the official record of this proceeding **MUST** present such comments in person to the Commission during the hearing.

Persons seeking information about the Commission's procedures should contact the Commission at (803) 896-5100 or visit its website at www.psc.sc.gov.

7/2/13

Direct correspondence to: Public Service Commission of South Carolina
Attention: Clerk's Office
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